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### Remarks

The present response is to the Office Action mailed the above-referenced case on December 23, 2004. Claims 23-42 are presented below for examination. Claims 23-32 are rejected under 35 U.S.C 112, second paragraph as being indefinite. In response, applicant slightly amends the language of claim 23 to overcome the rejection, in accordance with the Examiner's suggestion kindly provided.

Claims 23-42 are rejected under 35 U.S.C. 102(b) as being unpatentable over Grant et al. (U.S. 5,878,505), hereinafter Grant. Applicant has carefully studied the reference, and the Examiner's statements of the instant Office Action.

In response applicant slightly amends the language of the base claims only to more clearly recite the subject matter of applicant's invention regarded as patentable. Applicant further provides argument to more particularly point out to the Examiner the key and advantageous aspects of applicant's invention, as taught in the specification and recited in the claims as amended, which clearly are not anticipated by the prior art presented.

Applicant amends the language of claim 23 to more clearly embody the capabilities of applicant's claimed system and method. Applicant reproduces claim 23 as amended below for convenience.

**Claim 23 as amended now recites:**

*23. (currently amended) A financial planning system responsive to a specific person or organization, comprising:*

*an access mechanism to one or more data repositories comprising financial data particular to the specific person or organization;*

*an input mechanism adapted to enable the specific person or a representative of the organization to enter configuration information for a specific analysis of the financial data, and to select a form of analysis or specific calculative result;*

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*one or more coded procedures formulated to manipulate the financial data, generating results of the manipulation; and  
an output mechanism to present the results to the person or representative; characterized in that the system, in response to input of the configuration information, analyzes the data and presents the results to the person or representative via the output mechanism.*

Claim 23 as amended above now more clearly recites the relationship between the recitation "an output mechanism" and "one or more coded procedure", thereby overcoming the Examiner's 112 rejection. It is further now recited in the claim as amended that the input mechanism enables the specific person or representative of the organization to select a form of analysis or specific calculative result, and the results are presented to the person or representative via the output mechanism in response to input of the configuration information.

Applicant believes that claim 23, as slightly amended above, is patentable over the reference of Grant, because the prior art invention is simply not capable of achieving the expected results of applicant's invention. Grant teaches a similar, but alternative invention for solving a similar but alternative problem than that solved by applicant's invention, as will be further detailed.

The Examiner has stated in his remarks that, referring to figure 2, Grant discloses an input mechanism for the specific person or a representative of the organization for a specific analysis of the financial data, and to select a form of analysis (interface device 270, figure 2), characterized that in response to input and configuration, analyzes the data and presents a result via the output mechanism. Applicant respectfully disagrees.

Referring now to the specification of Grant (col. 14, lines 25-40), with reference to figure 2, it is described that the participant (260) uses interface device (270) and modem (280) to provide both input and receive output from the CPU (200). The interface device used is described to include but not be limited to telephone, interactive voice response systems, Internet, interactive television, and so on. It is further described what type of transactions are enabled for the user using said interactive interface, including

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determining authorized loan amounts, originating loans, and, after first establishing a loan, interacting with the system monitor software (330) to display the effect of retirement based borrowings on retirement security at output and reporting block (340).

However, although the Examiner has in part relied on the above referenced portion in support of his statement that all of applicant's limitations are anticipated in the prior art, applicant argues that the teaching of the capability for the user to, through the input mechanism, to enter configuration information for a specific analysis, or select a form of analysis, is certainly vague and inconclusive. Applicant fails to see how displaying the effect of retirement based borrowings on retirement security anticipates applicant's claim of the specific person or representative being enabled to enter configuration information for specific analysis of the data, including selecting the form of analysis.

Referring the Examiner now to figure 3 of Grant, the main menu of the system is illustrated providing an overview of the functionality of the system. As illustrated and described in the specification (col. 15, line 47 to col. 16, line 12) the user, through the customer menu, is able to conduct many types of transactions, inquiries, requests, password setting, and so on, after the processing stage for setting up an account with the financial institution. The service of Grant then provides the user access to the Retirement Planner (510) or Loan Modeling (515) to determine current or planned levels of retirement security or estimated minimum payments for loan amounts, terms, and interest rates.

However, the teaching does not specifically disclose an input mechanism adapted to enable a specific person or representative to enter configuration information for a specific analysis of the financial data, and to select a form of analysis or specific calculative result, as recited in applicant's claim 23 as amended. Applicant argues that the system of Grant is limited in capability compared to that of applicant's invention, and the reference therefore fails in a *prima facie* rejection of applicant's claims for the following reasons.

Referring now to applicant's specification with reference to figures 30, 31 and 32, three versions of an interactive calculative order interface enabling users to order specific

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calculated results taken from data of one or more than one financial account, and the resulting data of such calculations presented to the user in response to the user's configuration input or specific analysis request at the input mechanism, provides sound advice intended for users to make sound decisions in matters pertaining to their financial situation. In one aspect, referring now to figure 30, advise option 321 is provided from a pull-down menu in the electronic interactive interface, and is adapted to launch a specialized advise assistant that may be preprogrammed with data and intelligence regarding several or all of the user's listed accounts and balances. A request-and-submit form for soliciting server-side calculation designed to produce specific solution-oriented results regarding any pending action involving one or more than one account.

Referring now to applicant's figure 31, an interactive interface 363 is provided giving users a variety of calculative options for solving credit card issues. A drop-down menu lists a variety of calculative options enabling the user to obtain specific calculative solution-oriented results by interacting with an additional drop-down menu 365, which lists questions to the user, each posing a general issue that maybe answered by a calculated solution provided by calculative intelligent back-end software executing within the financial planning system.

The interactive calculative interface system and method of applicant's invention has a unique aspect in that all of the data fields reporting criteria needed to calculate a solution associated with a posed question in a drop-down menu are pre-populated with the most current information, requiring the user to populate only optional data fields and selection boxes. The complete electronic form is then submitted and the server-side calculation is performed using the back-end software. The user is further enabled to frequently change amounts entered in data fields and selection boxes of the electronic forms for projecting varying results for comparison, or select from a drop-down menu adapted to list questions the user may have about his or her overall financial situation, and the calculated results may be used as advice for the user in preparation for specific account activities.

The system of Grant, on the other hand, is substantially limited in its ability to provide the user, through an interactive interface, with calculative results which are

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detailed and comprehensive, providing sound and specific advice to the user enabling sound decisions for improving the user's overall financial situation, as in applicant's invention. The system of Grant utilizes a simple index to communicate the adequacy of current or planned states in a participant's separate pension account, not an interactive calculative order interface wherein the user may obtain specific calculative solution-oriented results provided by intelligent calculative software, such as applicant's invention. The user in Grant, as described in the specification, is enabled through the customer menu (505, figure 3) to direct the CPU through the interface device (270) to determine authorized loan amounts or originate new loans, or to display the effect of retirement based borrowings on retirement security, or to determine current or planned levels of retirement security and estimated minimum payments for planned loan amounts, terms, and interest rates, and perform other simple related transactions, but the teaching clearly falls short of anticipating all of the limitations of applicant's claims as amended herein. Grant fails to teach an input mechanism adapted to enable a specific person or representative of an organization to enter configuration information for a specific analysis of the financial data, and to select a form of analysis or specific calculative result, as is specifically recited in applicant's claim 23 as amended.

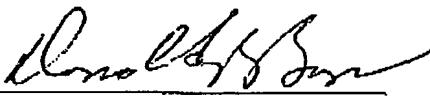
The rather common practice of Examiners in rejecting claims because the prior art teaches an alternative invention that might accomplish the same or similar purpose does not provide a *prima facie* rejection, and should be discouraged. To create a *prima facie* rejection, the actual elements of the claimed invention must be shown in the art, and in this case Grant clearly fails to do so.

Applicant therefore firmly believes that claim 23 as amended and argued above is clearly and unarguably patentable over the reference of Grant. Claim 33 is applicant's method claim in accordance with the limitations of claim 23, and has been slightly amended to agree with the limitations of claim 23. The Examiner has rejected claim 33 for the reasons applied to the rejection of claim 23. Claim 33 is then patentable over Grant as amended and argued above by applicant on behalf of claim 23. Depending claims 24-32 and 34-42 are then patentable on their own merits, or at least as depended from a patentable claim.

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As all of the claims standing for examination have been shown to be patentable as amended over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,  
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